

**ADDED PAGE(S) FOR SPECIAL COMMENTS FOR NEW APPLICATION TRANSMITTAL**

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(Added Page for Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed)

## CUTTER

### (1) Field of the Invention

The present invention generally relates to a cutter  
5 and more particularly, to a cutter which is adapted to  
efficiently cut a metal stud member and to a method for  
cutting a metal stud member.

### (2) Background of the Invention

10 Metal stud members are used to construct walls and  
other portions of buildings and various structures. While  
these members provide significant structural advantages  
over wood and other members, they are relatively difficult  
to cut or sever.

15 Currently, these metal stud members are cut or severed  
by the use of a relatively costly and noisy apparatus which  
may undesirably produce sparks and other undesirably by-  
products (e.g., airborne metal particulates) which may be  
hazardous to one's health and which may create relatively  
20 serious environmental difficulties.

There is therefore a need for a new and improved  
cutter and a cutting methodology which is adapted to  
efficiently cut or sever a metal stud member and which  
overcomes some or all of the previously delineated  
25 drawbacks associated with prior metal stud cutting  
apparatuses and methodologies.

### Summary of the Invention

It is a first non-limiting advantage of the present invention to provide a cutter which efficiently cuts a metal stud member and which overcomes some or all of the previously delineated disadvantages of prior cutter and methodologies.

It is a second non-limiting advantage of the present invention to provide a cutter which efficiently cuts a metal stud member and which overcomes some or all of the previously delineated disadvantages of prior cutter members and which may be further adapted to cut or sever a wide variety of members.

According to a first aspect of the present invention, a cutter is provided and includes a first support member; a second stud reception member which is perpendicularly attached to the first support member; and a second handle member which is attached to the first support member and which includes a pair of severing members.

According to a second aspect of the present invention, a cutter is provided and includes a metal stud reception assembly; and a cutting assembly which is deployed proximate to one end of the stud reception assembly and which is selectively movable between an open and a cutting position.

According to a third aspect of the present invention,  
a method for cutting a metal stud member is provided. The  
method includes the steps of stationarily positioning the  
metal stud member upon a member; providing a pair of  
5 engagement positions; and selectively causing the pair of  
engagement portions to selectively cut the metal stud  
member.

These and other features, aspects, and advantages of  
the present invention will become apparent from a reading  
10 of the following detailed description of the preferred  
embodiment of the invention and by reference to the  
following drawings.

#### **Brief Description of the Drawings**

15 Figure 1 is a perspective view of a cutter made in  
accordance with the teachings of the preferred embodiment  
of the invention in combination with a user;

Figure 2 is a side view of the cutter which is shown  
in Figure 1 in an open position;

20 Figure 3 is a view which is substantially similar to  
the view of Figure 2 but showing the cutter in a closed  
position; and

Figure 4 is a top view of the cutter which is shown in  
Figures 1 and 2.

## Detailed Description of the Preferred Embodiment of the

### Invention

Referring now to Figures 1-4, there is shown a cutter  
10 which is made in accordance with the teachings of the  
5 preferred embodiment of the invention.

Particularly, cutter 10 includes a first support  
member 12 which is adapted to be placed upon the ground 14  
or other support surface and which includes a first  
relatively thin portion 16 and a second relatively thick  
10 portion 18. Member 12 may have a generally rectangular or  
substantially round/oval cross sectional area and may be  
formed from conventional steel or metal.

Portions 16 and 18 may have a substantially similar  
cross sectional area and portion 18 may be integrally  
15 formed with portion 16 or attached to portion 16 by a  
conventional attachment member. Cutter 10 further includes  
a metal stud reception member 20 which is attached to the  
portion 18 by the use of welded connections 22 or by  
substantially any other conventional connection methods. As  
20 shown, metal stud reception member 20 has a general  
rectangular or cross sectional area. Further, the  
longitudinal axis of symmetry 21 of member 20 is  
substantially perpendicular to the longitudinal axis of  
symmetry 13 of member 12 and hence, member 20 is  
25 "perpendicularly attached" to member 12. Moreover, member  
20 has a thickness which is substantially similar to the

thickness of a metal stud 24. In other non-limiting  
embodiments of the invention, member 20 may comprise a  
telescoping member in order to allow the member 20 to be  
dynamically adjustable along its length or longitudinal  
5 axis 13, effective to allow member 20 to operatively  
support a wide variety of studs 24 of different lengths.  
Member 20 further includes a pair of substantially  
identical feet 26, each of which is coupled to and/or  
integrally formed with a unique and opposed end of member  
10 20, which are each perpendicularly coupled to member 20,  
and which cooperatively support member 20 upon the ground  
or support surface 14.

Cutter 10 further includes an outwardly projecting  
serpentine shaped handle member 30 having a first thin  
15 portion 31 which has an end which is adapted to be held in  
the hand 32 of a user 34 and a second relatively thick  
portion 36 which is attached to the portion 18 by bushing  
38 or by substantially any other conventional attachment  
member or methodology. Further, handle member 30 includes a  
20 pair of substantially identical cutter or severing members  
39, 40 which are respectively attached to the portion 36 by  
the use of bushings 42, 44. Portion 31 may be integrally  
formed with portion 36 and/or attached to portion 36 by a  
conventional attachment member.

25 Particularly, each cutting member 39, 40 includes a  
first member 50 and a pair of relatively sharp edged

engagement members 52, 54 which are each respectively  
attached to the respective member 50 by bushing 56. Hence,  
handle member 12 and severing members 39, 40 cooperatively  
form a "cutting assembly", while support member 16 and  
5 member 20 cooperatively form a support assembly. In an  
alternate embodiment, each member 54 may be attached to  
portion 18 by a respective bushing.

In operation, the stud member 24 is operatively and  
stationarily placed upon the stud support member 20 while  
10 the cutter 10 is in the open position (see Figure 2). After  
the metal stud member 24 is stationarily placed upon the  
support member 20, the handle member 30 is pushed or moved  
downward in the direction of arrow 60, (see Figure 3),  
thereby causing the engagement members 52, 54 of each  
15 cutting member 39, 40 to cooperatively and efficiently  
sever or cut the stud member 24 without causing the  
relatively loud noise, sparks, and the creation of airborne  
metal particulates associated with and/or created by prior  
cutters.

20 It is to be understood that the invention is not  
limited to the exact construction or method which has been  
illustrated and discussed above, but that various changes  
and modifications may be made without departing from the  
spirit and the scope of the inventions as are more fully  
25 delineated in the following claims. It should be further  
understood that cutter 10 may selectively sever or cut

members while are composed or formed from wood or a variety  
of other materials.

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